

REMARKS

Reconsideration and allowance of the application, as amended, are respectfully requested.

Claims 1, 3-4, 6, 12, 14, 22, 27 and 28 have been amended. Claims 3, 6 and 31 have been rewritten into independent form and hence are allowable as indicated by the Examiner. Allowance of Claims 16-21 is noted and appreciated.

With respect to the drawings, Figure 1 shows the reference character "15a" appearing in Pages 6-7 and 9 of the specification has been amended to the reference character "15aq" which appears on the drawings. Thus, the drawings and specification are in conformance.

With respect to the 35 U.S.C. §112 rejections on Pages 2 and 3 of the Official Action, Claim 6 has been amended to recite "a push button on the actuator" in order to provide the antecedent for the later recitation of "the push button" in Claim 4. It is submitted that Claim 6 properly remains dependent on Claims 1 and 5.

With respect to claim 21 mentioned on the top of Page 2 of the Official Action and its rejection under 35 U.S.C. §112, the quoted portion of Lines 9-11 is not found in Claim 21 but is found in Claim 22. It is noted that Claim 21 is a dependent claim that has been allowed along with its parent Claim 16. With respect to the "turning portions" on the body of the tool, as recited in Claim 22, it is pointed out that Claim 22 is drawn to an integral one piece tool body, i.e., a subcombination that is releasably connectable to a handle device as recited in the claim preamble. To add, the handle device by positively reciting it in Claim 22 would turn Claim 22 from a subcombination to a tool, per se to a combination of claim of a tool and a handle device. It is submitted that Applicants are entitled to claim the subcombination which may be sold separately as replacement tools for use with a handle. The recited turning portions do have to be used for a handle device. Hence, it is submitted that Claim 22 satisfies 35 U.S.C. §112.

Claim 1, as amended, and its dependent claims are submitted to be patentable over Frederick, U.S. Patent No. 1,245,697, in that Claim 1 recites that actuator actuates a portion of the turning mechanism to force the tool to turn about a turning axis on the working tool and relative to the body. In Frederick, the operator merely pushes the spring arms 10 inwardly toward

each other and then the operator rotates the mop handle 11 relative to the mop head 1 and there is no rotation of the mop head to bring another of three sides as a different working surface. Each of the three sides of the mop head is the same location and there is no disclosure of turning the mop head about a vertical axis to present a different one of its three edges or working surfaces forward to become a working surface. The only change provided by pushing the spring arms 10 “inwardly” and repositioning the spring arms is to change the angle of inclination of the handle relative to the mop head, not to turn or rotate the mop head to rotate its three outer edges. The manually pushing inwardly of the spring arms does not, as recited in amended Claim 1, operate a portion of a turning mechanism to turn the tool head about its turning axis, as recited in Claim 1. Frederick never faced nor solved the problem of how to automatically turn the tool about a turning axis with operation of an actuator in order to present a new working surface. Because Frederick lacks both the structure and the function as recited in amended Claim 1, it and its dependent claims, are submitted to be patentable over Frederick.

Claim 1, as amended, and its dependent Claims 2, 4-5 and 7-11 are submitted to be patentable over Bray, U.S. Patent No. 3,434,175, in that Claim 1 recites the actuator moves a portion of the turning mechanism to force the tool to turn about a turning axis relative to the body of the tool device. In the illustrated embodiment, for example, operation of the push button moves cam portions to force the tool to turn about the turning axis. In contrast thereto, the user of the Bray barbecue tool must loosen the thumb screw and the user must grasp the barbecue scraper tool 32 and manually turn to present a new edge for scrapping of the grill, and then the operator must manually align the bulbous projections 26 on the scraper tool manually insert them into the receiving portions 26 on the tool head, as shown in Figure 2. Claim 1, as amended, is directed to an automatic turning of the tool to present a new working surface with operation of the actuating means so that the operator need not get his hands dirty such as will occur in Bray because the user must manually turn and align the bulbous portions 26 on the barbecue tool and handle portion before retightening the screw 22. Because Bray lacks both the structure and the function of Claim 1, it is submitted that Claim 1 and its dependent claims are patentable over Bray.

Amended Claim 12 and its dependent Claims 13-15 are submitted to be patentable over Trenz et al, U.S. Patent No. 6,745,427; Egolf, U.S. Patent No. 6,094,771, or Adams, U.S. Patent No. 2,666,224, in that Claim 12 recites a turning mechanism on the tool operable for engaging the tool and turning the tool through a predetermined increment, such as 90°, for example, in this illustrated embodiment. Thus, Claim 12 is directed to both ejecting the tool with operation of the actuator and to turning the tool through a predetermined increment. Trenz, Egolf and Adams merely release, allow removal or eject the tool and there is lacking a turning mechanism for turning the tool through a predetermined increment. The circular brush heads in those prior art patents do not need to be turned and there is no mechanism to turn the same. Thus, these references never addressed the problem of how to eject a tool and to turn the tool through a predetermined increment of turning movement. Because these references lack both the functionality and structure recited in Claim 12, it is submitted that Claim 12 and its dependent claims are patentable over these references.

Amended Claim 22 and its dependent Claims 23-26 are submitted to be patentable over Bray in that Claim 22 now recites angularly spaced turning portions on the tool body such as, for example, the teeth 34 (Figure 17) that are engaged and pushed by the turning mechanism on the handle to automatically turn the tool relative to the handle. There is no automatic turning of the mop head in Bray. In fact, the mop head of Bray is not turned but only the handle can be manually rotated and there is no automatic turning through a predetermined increment of turning movement. The mop user manually pivots the handle to any one of the inclined positions and then reengages the spring arms into the notches. Because Bray never faced the problem of how to automatically turn the mop head through a predetermined increment of movement, e.g., 90° to present a new working surface as in the embodiment illustrated herein; and lacks the claimed tool structure for such a purpose. Claim 22 and its dependents claims are submitted to be patentable.

Amended Claim 27 and its dependent Claim 28-30 are submitted to be patentable over Frederick in that amended Claim 27 recites that operation of the actuator automatically turns the tool about a turning axis through the tool through a predetermined increment. The mop head of Frederick does not turn about a vertical axis to turn through a predetermined increment, e.g.,

120° to present another of its three edges. Likewise, there is no automatic force ejecting of the mop head from the handle with pushing inward of the spring arms 10. There is no actuator for the spring arms that is moved as recited in Claim 27. Thus, it is submitted that Claims 27-30 are patentable over Frederick.

Amended Claim 27 and its dependent Claim 30 are submitted to be patentable over Bray in that Claim 27 now recites operation of an actuator to automatically turn the tool through a predetermined increment. In Bray, the thumb screw may be unscrewed partially to allow a manual gripping of the scraper tool 32 and a manual turning of the tool 32 until the operator manually aligns protuberances 26 on the tool to fit into recesses formed on the underside of the protuberances 26 on the handle, as shown in Figure 2. Then, the operator may tighten the thumbscrew 20. Moreover, when the thumbscrew 20 is unscrewed from the threads 22 in the tool, there is no forcible ejection of the tool from the handle, as recited in Claim 27. Thus, it is submitted that Claim 27 and its dependent claims are patentable over Bray.

Respectfully requested,

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